



Annual Unit Refresher/ Pre- & Post-Deployment Training



Terminal Learning Objective

Action

Demonstrate behavior consistent with the Army's Sexual Harassment/Assault Response and Prevention (SHARP) Program

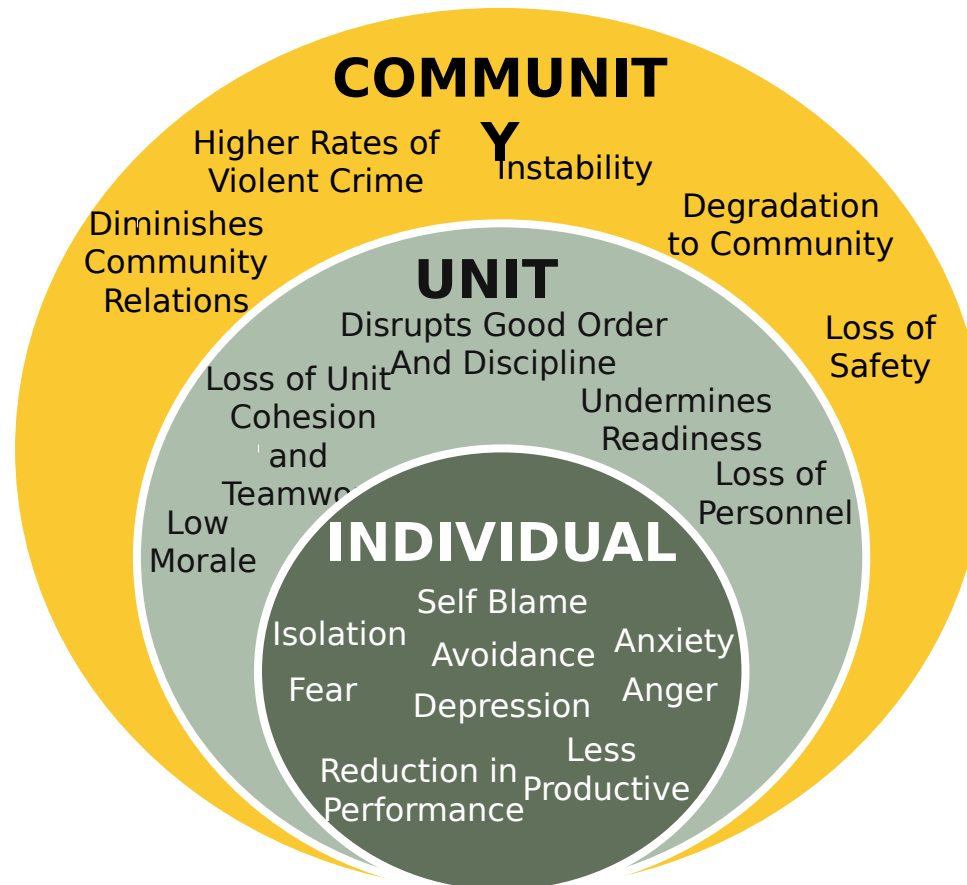
Condition

In a classroom environment, with facilitated group discussions, student handouts, videos, and simulated real-life scenarios involving potential and actual sexual harassment and sexual assault.

Standard

Describe the impact of sexual harassment and sexual assault on the Army, examine strategies to prevent sexual harassment and sexual assault, discuss support resources available to complainants of sexual harassment and victims of sexual assault, penalties for sexual harassment and sexual assault offenders, and DOD Sexual Assault Prevention and Response (SAPR) and Army SHARP Program. Participate in all discussions and complete practical exercises with 100 percent accuracy.



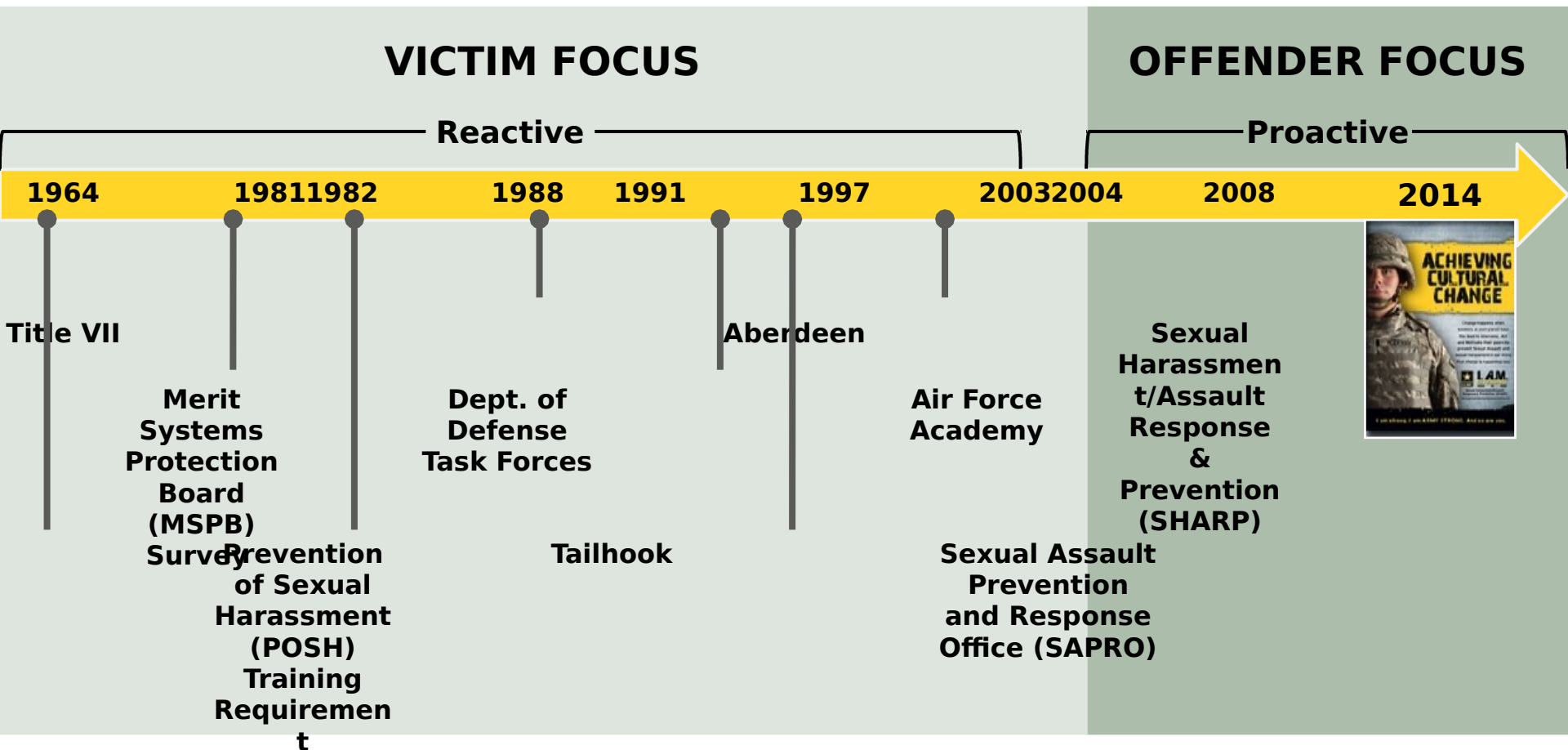


Bottom Line:

Sexual harassment and sexual assault endanger lives of individuals and threaten the Army's mission.



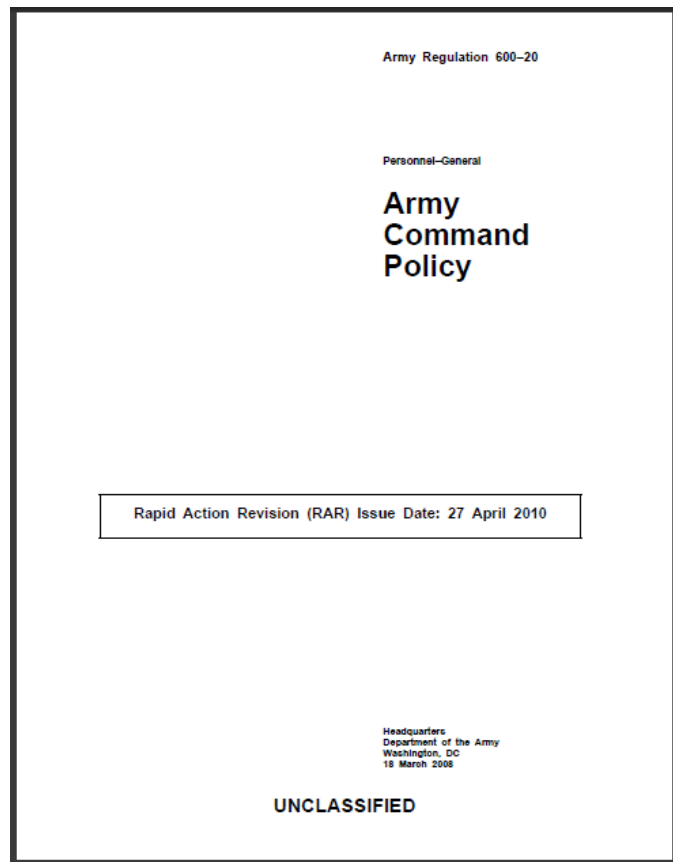
Historical Timeline





Definition of Sexual Harassment

What is Sexual Harassment?



- **Sexual harassment is a form of gender discrimination**
- **Sexual harassment includes unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:**
 - **Submission to or rejection of is made a term or condition of a person's job, pay, career;**
 - **Submission to or rejection of is used as a basis for career or employment decisions;**
 - **Conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work**



Definition of Sexual Assault



DODI 6495.02, 28 MAR 2013

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Sexual Harassment vs. Sexual Assault

**Sexual
Harassment**

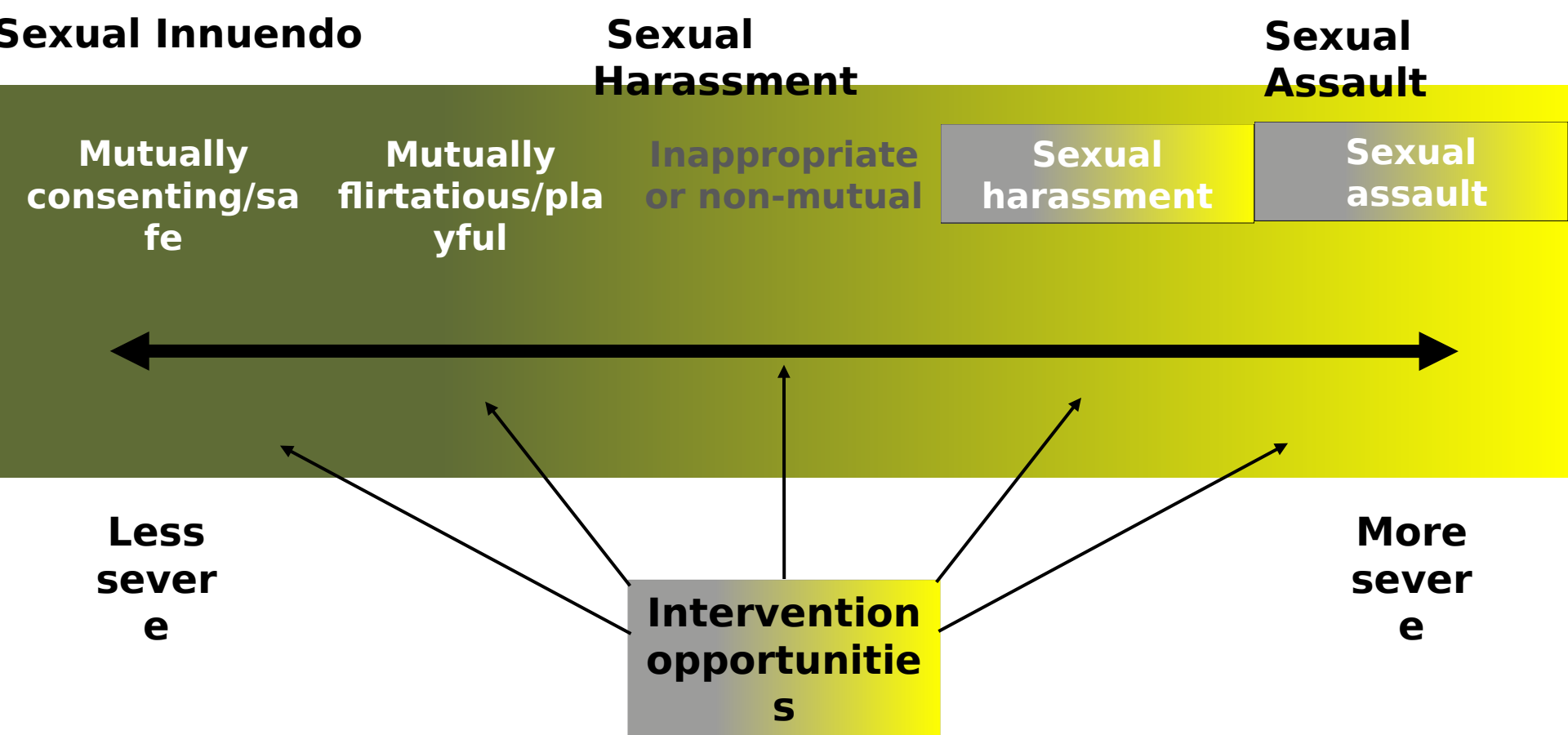
Sexual harassment involves verbal, nonverbal, and physical behaviors

**Sexual
Assault**

Sexual assault involves “sexual contact” as defined in Article 120 of the Uniform Code of Military Justice (UCMJ)



Continuum of Behaviors





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Orientation Video



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Army Policy on Sexual Harassment

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Ref: AR 600-20

Civilians to follow

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Sexual Harassment Checklist



- **Is the behavior sexual in nature?**
- **Is the behavior unwelcomed?**
 - The harasser's intent is NOT the determining factor
- **Would a reasonable person find the behavior to be inappropriate?**
 - Apply the "Reasonable Person Standard"

One or more of the following:

- **Do the elements of power, control, or influence exist?**
- **Does the behavior create a hostile or offensive environment?**



Categories of Sexual Harassment

Verbal

- Telling sexual jokes
- Using sexually explicit profanity or threats, sexually oriented cadences, or sexual comments
- Whistling in a sexually suggestive manner
- Describing certain attributes of one's physical appearance in a sexual manner
- Using terms of endearment in referring to Soldiers, DA Civilians, or Family members

Nonverbal

- Staring at someone, blowing kisses, winking, or licking one's lips in a suggestive manner
- Displaying inappropriate printed material (e.g., sexually oriented pictures or cartoons)
- Using sexually oriented screen savers on one's computer
- Sending sexually oriented notes, letters, faxes, or e-mail

Physical contact

- Touching, patting, pinching, bumping, or grabbing
- Cornering or blocking a passageway



Quid Pro Quo/Sexual Coercion (“This for That”)

- Demanding sexual favors in exchange for a promotion, award, or favorable assignment
- Disciplining or relieving a subordinate who refuses sexual advances
- Threatening a poor job evaluation for refusing sexual advances

Hostile Environment

- Subjected to offensive, unwanted, and unsolicited comments or behaviors of a sexual nature. If these behaviors unreasonably interfere with an individual's performance, then the environment is hostile.
- Derogatory, gender-biased terms
- Sexually suggestive pictures or jokes
- Unwanted touching

Remember, a third party—not just the object of the attention—can also view behaviors as sexually harassing!



Sexual Harassment Policy Distinctions

Military

- Policy applies on and off duty hours
- The workplace is all the time (including off duty) and everywhere (including barracks, etc.)
- Victims do not have the right to sue the offender
- Victims are encouraged to confront offenders; however, supervisors/managers are responsible for confronting offenders once they know of the harassment.
- Formal complaints are managed by the commander.
- Soldiers have 60 calendar days from the date of the alleged incident in which to file a formal complaint.
- Family members are eligible to file complaints

DA Civilians

- Policy only applies while on duty.
- The workplace is more narrowly defined to the actual office/workplace and areas associated with working.
- Victims have the right to sue through the administrative process provided in 29 Code of Federal Regulations (CFR) Part 1614.
- Victims are encouraged to confront the offender also; however, supervisors/managers are responsible for confronting offenders once they know of the harassment.
- Formal complaints are managed by Equal Employment Opportunity (EEO) personnel.
- DA Civilians must contact the EEO Office within 45 days of the harassment.

REF: AR 690-



Practical Exercise 1: Scenario A

Ms. Leslie Robinson, a DA Civilian, works in the “cube farm” environment. One day, Staff Sergeant (SSG) Bill Evans stopped by Specialist (SPC) Mark Fields’ cubicle to talk about Ms. Robinson’s breasts and butt. SSG Evans told SPC Fields that he would like to take Ms. Robinson back to the barracks and “let her teach him a few things.” Ms. Robinson did not hear any of it, but two other co-workers, Sergeant (SGT) John Weaver and SPC Tina Michaels did. SGT Weaver observed that SPC Michaels was uncomfortable with the conversation.

Later in the day, SSG Evans and SPC Fields passed SPC Michaels and SGT Weaver in the break room, after which SPC Michaels confides in SGT Weaver that she does not want to work with SSG Evans nor SPC Fields. She says that was not the first off-color remark she has heard from SSG Evans, and she doesn’t want to work with him if that’s how he is going to talk about women. SPC Michaels also mentioned that she was going to tell Ms. Robinson about the remarks when she returned to the office in the morning. The next morning, SPC Michaels tells Ms. Robinson about SSG Evans’ comments. Ms. Robinson becomes very angry and decides to file a complaint with her non-commissioned officer in charge.



Practical Exercise 1: Scenario B

SPC Jonathan Williams is assigned to Bravo Company and services information technology (IT) equipment at a Forward Operating Base in Afghanistan. Captain (CPT) Rebecca Switzer is SPC Williams' company commander. One evening, CPT Switzer asks SPC Williams to come to her hooch to repair her laptop. While SPC Williams is working, CPT Switzer takes off her uniform and walks around in her bra and panties. She then walks up behind SPC Williams and begins rubbing his shoulders. SPC Williams says he needs to go back to his office to do some work. CPT Switzer says, "If you give me what I want, I'll make sure that you are able to go home on R&R in time for your son's birthday." SPC Williams insists that he has to get back to the office. The next day, he avoids CPT Switzer and informs First Sergeant (1SG) Mary Green of the incident.



Practical Exercise 1: Scenario C





Carla Olsen is the 18-year-old daughter of Sergeant First Class (SFC) Roger Olsen from Fort Bragg, North Carolina (NC). While at the Post Exchange one summer day, Carla and her friend, Britney, decide to have lunch. When Britney bends down to pick up some change she dropped, PFC Ryan Allen comments on the tattoo on her lower back. Just then, SPC Sam King walks by and whistles at Carla. Carla looks over at him and he winks and licks his lips. Carla looks at him, frowns, and shakes her head. She asks him what unit he's from, but he ignores her and walks away.



Responses to Sexual Harassment

- **Direct approach**
 - Confront the harasser and inform the person that the behavior is not appreciated or welcomed and that it must stop
 - Focus on behavior and its impact—offer behavior-centered feedback
- **Indirect approach**
 - Address the harasser without a face-to-face conversation (e.g., send a letter)
- **Third-party assistance**
 - Ask someone else to talk to the harasser, to accompany the complainant, or to intervene on behalf of the complainant to resolve the conflict
- **Chain of command**
 - Report the behavior to your immediate supervisor or others in the chain of command and ask for assistance in resolving the situation



<i>Description</i>	<i>Formal Complaint</i>	<i>Informal</i>
<i>Complaint Subject to</i>		
<i>Timelines Not filed in</i>		
<i>Writing Requires an official</i>		
<i>investigation Requires a reprisal plan</i>		



Admin & UCMJ Sexual Harassment Penalties

Admin Penalties
Mandatory counseling
Discharge from service
Bar to re-enlistment
Adverse performance evaluations
Relief for cause
Administrative reduction
Admonition
Reprimand
Admin withholding of privileges
Rehabilitative transfer to another unit

UCMJ Penalties		
Offense	Article	Maximum Penalties
Failure to obey order or regulation	92	Bad Conduct Discharge (BCD), 6 months confinement, and forfeiture of all pay and allowances
Cruelty and maltreatment	93	Dishonorable Discharge, 1 yr confinement, and forfeiture of all pay and allowances
Provoking speeches or gestures	117	6 months confinement and forfeiture of 2/3 of all pay and allowances for 6 months
Indecent language	134	BCD, 6 months confinement, and forfeiture of 2/3 of all pay and allowances



Army Policy on Sexual Assault

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Applies 24/7 On and Off Post

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Restricted vs. Unrestricted Reporting

Restricted Report	Unrestricted Report
Benefits <ul style="list-style-type: none">• Access to medical, advocacy, legal, and counseling services• Receive the Sexual Assault Forensic Examination (SAFE)• Control the release of personal information• Can change to Unrestricted Report at any time	Benefits <ul style="list-style-type: none">• Access to medical, advocacy, legal, and counseling services• Receive the SAFE• Alleged offender <i>may</i> be held accountable• Command support• Can receive protective order (Military Protective Order [MPO] or Civilian Protective Order [CPO])
Limitations <ul style="list-style-type: none">• The alleged offender will not be held accountable• Ineligible for expedited transfer or reassignment• No command support• Cannot receive a protective order	Limitations <ul style="list-style-type: none">• More people will know about the sexual assault• Investigation may be intrusive and difficult• Cannot change to Restricted Report



Restricted Report	Unrestricted Report
Who can file a report: <ul style="list-style-type: none">• SARC/SHARP Specialist• VA/SHARP Specialist• Healthcare Provider	Who can file a report: <ul style="list-style-type: none">• SARC/SHARP Specialist• VA/SHARP Specialist• Healthcare Provider• CID• Commander• JAG• IG
Limitations <ul style="list-style-type: none">• Chaplains - can not file a report, but remains confidential	Limitations <ul style="list-style-type: none">• More people will know about the sexual assault• Investigation may be intrusive and difficult• Cannot change to Restricted Report



Definition of Consent

What is Consent?

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Obtaining Consent: Scenario 1

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Obtaining Consent: Scenario 2

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BREAK

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Soldier Training Video



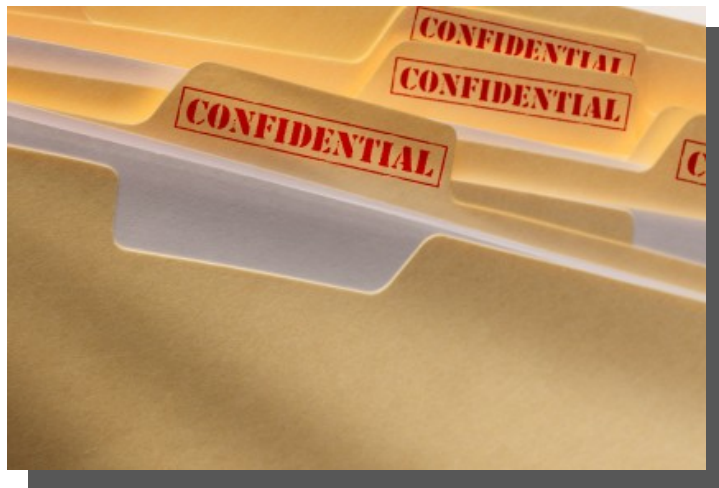
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DTFSAMS

personnel.

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Expedited Transfer Requests

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Protective Orders

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Ensuring Victim Safety: Scenario

- 1.
- 2.
- 3.
- 4.
- 5.



- **Nonstranger**
 - Most common type of sexual assault; includes acquaintance rape, drug-facilitated rape, and marital rape
- **Stranger**
 - Stranger rape is less likely to occur than nonstranger rape
- **Gang and multiple rapes**
 - Victim usually knows or has been acquainted with at least one member of the group
- **Drug-facilitated sexual assault**
 - Believed to be increasing





Bystander Intervention Process

1. Notice the event along a continuum of behaviors



2. Interpret the event or behavior as a problem



3. Feel responsible for solving the problem



4. Choose how to intervene



5. Build the culture to eliminate the problem



Civilian & UCMJ Sex Offense Penalties

U.S. Code 18, Chapter 109 (Civilian) Penalties

Offense	Section	Maximum Penalties
Aggravated Sexual Abuse	2241	20 years in prison
Sexual Abuse	2242	20 years in prison
Sexual Abuse of a Minor or Ward	2243	15 years in prison
Abusive Sexual Contact	2244	10 years in prison
Sexual Abuse Resulting in Death	2245	Death, life in prison

UCMJ Penalties

Offense	Article	Maximum Penalties
Rape	120	Death
Sexual Assault	120	Dishonorable Discharge, forfeiture of all pay and allowances, 30 years confinement
Aggravated Sexual Assault	120	20 years + Dishonorable Discharge and forfeiture of all pay and allowances
Abusive Sexual Assault	120	Forfeiture of all pay and allowances, 7 years + Dishonorable Discharge
Sodomy	125	Dishonorable Discharge, forfeiture of all pay and allowances, confinement for life without parole



Campaign Lines of Effort & SHARP Initiatives

Objective

Initiatives

Prevention

Mutual respect/trust, professional values, reinforced to create environment where sexual assault is not tolerated.

- ❖ Special emphasis Pre-commissioning Training, Future Soldiers Training, and IMT
- ❖ I. A. M. Strong SHARP Training integrated into all aspects of Soldier/Civilian 'Life-cycle' training
- ❖ Publish Commander's SHARP Guidebook to implement and maintain program
- ❖ Revitalizing the Sponsorship Program through Command emphasis
- ❖ Reviewing linkage of SHARP and increasing opportunities to women due to repeal of

Investigation

Investigative resources yield timely and accurate results.

- ❖ DGCAR Special Victims Capability: Investigation/Prosecution training for CID agents and prosecutors
 - ❖ 23 Special Victim Prosecutors Army-wide
 - ❖ 22 Special Victim Investigators (Additional 7 X Investigators in FY14)
 - ❖ Team Approach: Coordination with CID & JAG on every SA case
 - ❖ Dedicated Paralegal Support (Directed Military Over strength) 2013
 - ❖ Victim Witness Liaison at every General Court-Martial Jurisdiction
 - ❖ Trial Counsel Assistance Program (TCAP) reach back assistance and direct support

Accountability

Perpetrators & CofCs are held appropriately accountable.

- ❖ Revised Command Climate Survey Policy to address SHARP & increase commander awareness
- ❖ Initiated BDE & BN Commander 360 Assessment Program
- ❖ Implemented Policy to require mandatory OER comments addressing unit's SHARP climate
- ❖ Recurring CSA-led SHARP Summits with senior Army leadership
- ❖ Developing rigorous screening and behavior health assessments for positions of trust
- ❖ Expanded Commander's legal courses
- ❖ Sex Offenders OCONUS Reassignment & Retainability Policy

Advocacy

Quality services, support to instill confidence, inspire victims to report, restore resilience.

- ❖ Recurring CSA-led SHARP Army Advisory Panel that includes victims
- ❖ Building a Professional Team: SARC/VA Schoolhouse pilot course JAN '14; FOC in 4th Qtr, FY14
- ❖ Increased role & presence of SARCs & VAs across our formations
- ❖ Special Victim Counsel Program: reporting triggers multidisciplinary team approach to victim advocacy; program covers entire 'life-cycle' of case

Assessment

Meaningful, and accurate systems of measurement and evaluation.

- ❖ Executed 'Red Team' Program in FY 2012-2013 to assess program effectiveness
- ❖ Commander Risk Reduction Dashboard and Strategic Management System "SMS" reporting
- ❖ ARI-led Field Focus Group Assessments, 1st & 2nd Qtr, FY14: Define perceptions of Army culture
- ❖ Metrics used to measure compliance with current regulatory standards
- ❖ Response Systems Panel support



LOEs: Prevention, Investigation, Assessment, Advocacy, Accountability

Prevention

- **Ensure the chain of command understands that its responsibility is to create a positive command climate and environment of trust, dignity, and respect in which every Soldier, Civilian, and Family member can thrive and achieve their full potential by eliminating sexual harassment and sexual assault and stopping offenders from committing crimes.**

Investigation

- **Ensure that every report is examined thoroughly, fairly, and competently to make a positive impact upon the culture, command climate and ensure that victims feel free to report without fear of reprisal.**

Accountability

- **Ensure that the chain of command is fully engaged, holding every individual, unit, organization, and commander appropriately responsible for behaviors, actions, and inactions, and that it takes appropriate actions based upon investigations.**

Advocacy

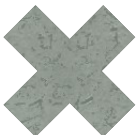
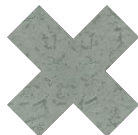


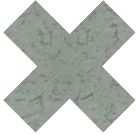
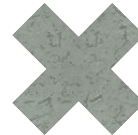

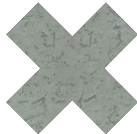
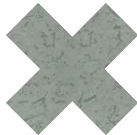
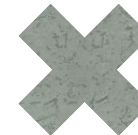
- **Provide compassionate, best-in-class care, support, and protection for victims, and protect the rights and privacy of survivors.**

Assessment

- **Analyze, evaluate, and improve the Army's strategy, methods, and techniques for eliminating sexual harassment and sexual assault in its ranks using Army research and evaluations, as well as input from national experts in the field of prevention,**



SARC and VA Responsibilities

<i>Responsibility</i>	<i>SARC</i>	<i>VA</i>
<i>Provide care and Support to victims</i>		
<i>Process reports of Sexual assault</i>		
<i>Facilitate SHARP Training</i>		
<i>Enter data into ICRS and DSAIDS</i>		
<i>Securely store DD 2910 And DD 2911</i>		
<i>Provide 24/7 response capability</i>		



Command Responsibilities for Prevention

Commanders will:

- Lead by example
- Establish a climate of prevention
- Post written Army sexual assault and sexual harassment policy letters and victim services information
- Ensure Soldiers and DA Civilian employees receive annual SHARP training
- Ensure SHARP personnel are appointed at the appropriate unit level, are trained, and are certified
- Conduct periodic assessments of the unit's or organization's SHARP





Whose Responsibility?





Strategy for Cultural Change

A good strategy to facilitate cultural change may include the following components

- Knowledge of current state
- Vision for the future
- Goals
- Training
- Research
- Participation





In this lesson, we described the impact of sexual harassment and sexual assault on the Army, discussed support resources available to complainants of sexual harassment and victims of sexual assault, penalties for sexual harassment and sexual assault offenders, and DOD Sexual Assault Prevention and Response (SAPR) and



Reminder : If You Need Help

Installation 24/7 Helpline:

Insert your # here

DoD Safe Helpline:

(877) 995-5247

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